

AN ORDINANCE **97635**

ADOPTING THE FISCAL YEAR 2003-2004 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ENTITLEMENT GRANT (HOPWA) IN THE AMOUNT OF \$1,006,000.00 AS CONTAINED IN THE FISCAL YEAR 2003-2004 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE FISCAL YEAR 2003-2004 HOPWA PROGRAM; DESIGNATING THE FISCAL YEAR 2003-2004 HOPWA PROGRAM FUNDS; APPROPRIATING THE FISCAL YEAR 2003-2004 PROGRAM FUNDS IN THE AMOUNT OF \$1,006,000.00; ALLOCATING PROGRAM FUNDS TO PROJECTS; ESTABLISHING ACCOUNTS; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AUTHORIZING EXECUTION OF ALL REQUIRED CONTRACTS AND RELATED DOCUMENTS IN CONNECTION WITH SAID FISCAL YEAR 2003-2004 HOPWA PROGRAM, AND THE PROJECTS THEREUNDER; AND AUTHORIZING THE SUBMISSION OF THE HOPWA GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FISCAL YEAR 2003-2004 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED TO HUD.

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WHEREAS, the U.S. Department of Housing and Urban Development (HUD), pursuant to the Housing and Community Development Act of 1974, as amended (Public Law 93-383), provides cities with annual grant support to enable the acquisition and/or rehabilitation of facilities, supportive services and operations in their urban communities so as to improve conditions for persons with HIV/AIDS and their families; and

WHEREAS, the City of San Antonio, through its Housing Opportunities for Persons with AIDS Entitlement Grant (HOPWA) Program, has administered HOPWA Entitlement grant funds annually beginning with fiscal year 1995-1996 (Year 1) and continuing through fiscal year 2002-2003 (Year 8); and

WHEREAS, pending completion of all required administrative procedures required for official HUD release of funds, fiscal year 2003-2004 HOPWA Entitlement funds in the amount of \$1,006,000.00 will become available to the City; and

WHEREAS, as required by federal regulation, the Fiscal Year 2003-2004 Consolidated Plan Annual Budget was prepared, encompassing grant funds of the 29th Year CDBG, 12th Year HOME, 9th Year Emergency Shelter Grant and the 9th Year Housing Opportunities for Persons with AIDS Grant; and

WHEREAS, citizen recommendations regarding the allocation of the aforesaid grant funds have heretofore been received at neighborhood and city-wide meetings and at public hearings, notices of which were duly posted; and

WHEREAS, pursuant to applicable HUD regulations designed to ensure adequate citizen input, a public hearing is required in this instance; and

WHEREAS, the required notice having been duly published, and said public hearing having been held before City Council on May 15, 2003, it is now the desire of the City, having considered the aforesaid citizen recommendations, to approve the HOPWA Budget as part of the Fiscal Year 2003-2004 Consolidated Plan Annual Budget and to fund the 8th Year HOPWA Program on the City's books; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Housing Opportunities for Persons with AIDS Entitlement Grant (HOPWA) Program Budget of the Fiscal Year 2003-2004 Consolidated Plan Annual Budget is hereby approved and adopted as set forth therein, copies of which are affixed hereto and incorporated by reference herein as Attachment I.

SECTION 2. The Fiscal Year 2003-2004 Housing Opportunities For Persons With AIDS Entitlement Block Grant (HOPWA) Program beginning October 1, 2003 and terminating September 30, 2004 is hereby authorized.

SECTION 3. The City Manager, or, in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or the Housing and Community Development Director is hereby authorized to submit to HUD those documents set forth herein as Attachment I, with certifications, as well as such other information as required by the U.S. Department of Housing and Urban Development (HUD) for award of the aforesaid entitlement funds.

SECTION 4. Subject to and upon award of the aforesaid grant funds, the City Manager, or, in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, the Housing and Community Development Director or the Director of Community Initiatives is hereby authorized to accept same and to execute any and all documents required by HUD in connection therewith.

SECTION 5. Fund No. 26-054111 entitled, "HOPWA FISCAL YEAR 2003-2004 ENTITLEMENT GRANT" is hereby designated for use in accounting for the above-stated grant and the sum of \$1,006,000.00 is hereby appropriated in said fund for allocation to projects as set out in the detailed budget affixed hereto and incorporated herein for all purposes as Attachment I.

SECTION 6. The City Manager, or in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, the Director of Housing and Community Development or the Director of Community Initiatives is hereby authorized and directed to carry out the administration of the Fiscal Year 2003-2004 HOPWA Program. Such administration shall include, but not be limited to, the execution of any and all contracts and other documents necessary in connection with the Fiscal Year 2003-2004 HOPWA Program and the reaffirmation of any and all assurances required of the City by HUD, and shall also include the execution of a professional services contract for the development and implementation of a needs assessment on housing for persons with HIV/AIDS in connection with the Fiscal Year 2003-2004 HOPWA Program.

SECTION 7. The Director of Community Initiatives is hereby designated the Program Manager for the HOPWA Program. Further program responsibilities shall be as follows:

- (a) The Community Initiatives Department shall administer and monitor all HOPWA programs and fiscal activities and requests; shall monitor, where applicable, fair housing compliance and shall administer the handling and resolution of complaints related thereto;
- (b) The Human Resources Department shall monitor all projects and sub-agencies as necessary for compliance with all equal employment opportunity rules, regulations, policies and laws;
- (c) The Department of Economic Development shall monitor all projects and sub-agencies as necessary for compliance with local, state and federal MBE-WBE rules, regulations, policies and laws; and
- (d) The Internal Review Office shall accomplish fiscal and program compliance audits of the sub-grantee agencies in the Fiscal Year 2003-2004 HOPWA program in compliance with OMB A-133, and in coordination with the City's annual independent audit.

SECTION 8. The personnel classifications and pay ranges set forth in Attachment II affixed hereto and incorporated herein for all purposes are hereby authorized for carrying out aspects of the approved Fiscal Year 2003-2004 HOPWA Program.

SECTION 9. The Deputy City Manager, all Assistant City Managers, Assistants to the City Manager, the Housing and Community Development Director and the Community Initiatives Director are hereby designated and authorized as representatives of the City Manager for the purpose of HOPWA program administration and communication with HUD.

SECTION 10. The Community Initiatives Director is hereby authorized to execute any and all agreements with sub-grantees and/or City departments for each project and for the amounts appropriated as delineated in Attachment I. Sub-grantee contracts and interdepartmental agreements are hereby required to contain acceptable detailed performance indicators for each project and the information for such contracts and agreements must be finalized by no later than November 1, 2003 in order to facilitate their execution. The Directors of the Community Initiatives and Finance Departments are hereby authorized and directed to automatically cancel and move the full budget allocation provided to any project, including City Department project allocations, for which acceptable performance indicators are not provided, or for which information for contract/interdepartmental agreement execution has not been received by the appropriate City department by November 1, 2003, to the HOPWA Contingency Account in preparation for timely reprogramming to other eligible activities.


SECTION 11. The Director of the Community Initiatives Department and/or the Director of Housing and Community Development are hereby authorized to cancel and reprogram any and all budget allocations provided to any project, in the event, any sub-grantee contract and/or interdepartmental agreement is not executed by January 1, 2004.

SECTION 12. The City Manager, or, in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, the Housing and Community Development Director or the Director of Community Initiatives Department is hereby authorized to approve budget adjustments within project allocations to conform with actual expenditures if line item cost overruns occur or are anticipated.

SECTION 13. The City Manager, or, in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, the Housing and Community Development Director or the Director of Community Initiatives Department is hereby authorized to complete all documents required by HUD to officially close projects and program financial records following completion of the contracted scope-of-work.

SECTION 14. This ordinance shall be effective on and after the tenth (10th) day after passage hereof.

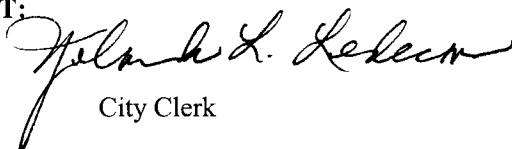
PASSED AND APPROVED this 15th day of May, 2003.



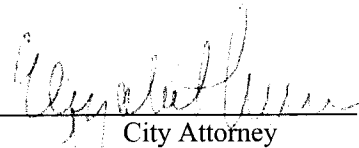
M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM


City Attorney